

COPY OF PAPER
ORIGINALLY FILED

PATENT
Docket No. ENDOV-55675

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Masoud Molaei

SERIAL NO.: 09/954,557

FILED: September 17, 2001

TITLE: AVOIDING STRESS INDUCED
MARTENSITIC TRANSFORMATION IN
NICKEL TITATNIUM ALLOYS USED IN
MEDICAL DEVICES

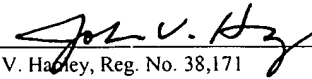
DATE: December 4, 2001

Examiner: TBD

Group Art No.: 3731

Certificate of Mailing Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on December 4, 2001.


John V. Hanley, Reg. No. 38,171

SUBMISSION OF MISSING PARTS OF APPLICATION

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted, mailed October 15, 2001 (copy attached-Part 2), applicant submits herewith for the above-identified application, a check in the amount of \$170.00, the surcharge fee for late filing of oath or declaration (\$130.00) together with an executed Declaration and Power of Attorney for a Patent Application, Submission of Formal Drawings together with four (4) sheets of formal drawings, and recordation filing fee (\$40.00) together with an executed Assignment document and Recordation Cover Sheet.

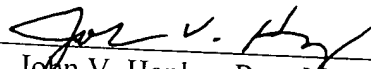
Serial No. 09/954,557

PATENT

Please credit any overpayment or charge any additional fees in this matter to our Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By: 
John V. Hanley, Reg. No. 38,171

JVH:LAK:bg
Enclosures

Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, California 90045
Tel: (310) 824-5555
Fax: (310) 824-9696
Customer No. 24201
223304.1



UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT & TRADEMARK

COPY OF PAPERS
ORIGINALLY FILED

COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/954,557 | 09/17/2001 | Masoud Molaei | ENDOV-55675 |

CONFIRMATION NO. 7940

24201
FULWIDER PATTON LEE & UTECHT, LLP
HOWARD HUGHES CENTER
6060 CENTER DRIVE
TENTH FLOOR
LOS ANGELES, CA 90045

FORMALITIES LETTER



OC00000006905771

Date Mailed: 10/15/2001

Mas. Pts Due December 15, 2001
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

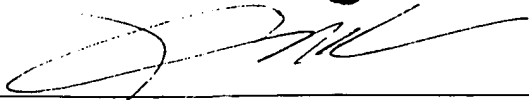
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1));

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be "J. M.", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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Secretary

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|---|----------------------|------------------------|-------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/954,557 | |
| | Filing Date | September 17, 2001 | |
| | First Named Inventor | Masoud Molaei | |
| | Group Art Unit | 3731 | |
| | Examiner Name | TBD | |
| Total Number of Pages in This Submission | 19 | Attorney Docket Number | ENDOV-55675 |

| ENCLOSURES (check all that apply) | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) (Formal) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Notice to File Missing Parts, Return Postcard |
| Remarks | | 24201 PATENT TRADEMARK OFFICE |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual name | John V. Hanley, Registration No. 38,171 FULWIDER PATTON LEE & UTECHT, LLP |
| Signature | |
| Date | December 4, 2001 |

| CERTIFICATE OF MAILING | | | |
|--|---------------------------------|------|------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: Dec. 4, 2001 | | | |
| Typed or printed name | John V. Hanley, Reg. No. 38,171 | | |
| Signature | | Date | December 4, 2001 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**40.00**

Complete if Known

| | |
|----------------------|--------------------|
| Application Number | 09/954,557 |
| Filing Date | September 17, 2001 |
| First Named Inventor | Masoud Molaei |
| Examiner Name | TBD |
| Group Art Unit | 3731 |
| Attorney Docket No. | ENDOV-55675 |

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

06-2425

Deposit
Account
Name

Fulwider Patton

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|-------------------------------|-------------------------------|------------------------|
| 101 710 | 201 355 | Utility filing fee |
| 106 320 | 206 160 | Design filing fee |
| 107 490 | 207 245 | Plant filing fee |
| 108 710 | 208 355 | Reissue filing fee |
| 114 150 | 214 75 | Provisional filing fee |

Fee Paid

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | -20** = | X | = |
| Multiple Dependent | -3** = | X | = |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description |
|-------------------------------|-------------------------------|---|
| 103 18 | 203 9 | Claims in excess of 20 |
| 102 80 | 202 40 | Independent claims in excess of 3 |
| 104 270 | 204 135 | Multiple dependent claim, if not paid |
| 109 80 | 209 40 | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|-------------------------------|-------------------------------|---|----------|
| 105 130 | 205 65 | Surcharge - late filing fee or oath | \$130.00 |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 390 | 216 195 | Extension for reply within second month | |
| 117 890 | 217 445 | Extension for reply within third month | |
| 118 1,390 | 218 695 | Extension for reply within fourth month | |
| 128 1,890 | 228 945 | Extension for reply within fifth month | |
| 119 310 | 219 155 | Notice of Appeal | |
| 120 310 | 220 155 | Filing a brief in support of an appeal | |
| 121 270 | 221 135 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,240 | 241 620 | Petition to revive - unintentional | |
| 142 1,240 | 242 620 | Utility issue fee (or reissue) | |
| 143 440 | 243 220 | Design issue fee | |
| 144 600 | 244 300 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 180 | 126 180 | Submission of Information Disclosure Stmt | |
| 581 40 | 581 40 | Recording each patent assignment per property (times number of properties) | \$40.00 |
| 146 710 | 246 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 710 | 249 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 710 | 279 355 | Request for Continued Examination (RCE) | |
| 169 900 | 169 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**170.00**

SUBMITTED BY

| | | | | |
|-------------------|----------------|--------------------------------------|--------------|--------------------------|
| Name (Print/Type) | John V. Hanley | Registration No. (Attorney/Agent) | 38,171 | Complete (if applicable) |
| Signature | | Telephone | 310-824-5555 | Date |
| | | | | Dec. 4, 2001 |

WARNING: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.

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20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masoud Molaee

Serial No. 09/954,557

Filed: September 17, 2001

For: AVOIDING STRESS-INDUCED
MARTENSITIC TRANSFORMATION
IN NICKEL TITANIUM ALLOYS
USED IN MEDICAL DEVICES

Examiner: TBD

Group Art Unit: 3731

Docket No. ENDOV-55675

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John V. Hanley, Registration No. 38,171

Date: December 4, 2001

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SUBMISSION OF FORMAL DRAWINGS

Commissioner for Patents
Washington, D.C. 20231

ATTENTION: Official Draftsman

Dear Sir:

Applicant has enclosed four (4) sheets of formal drawings. Please substitute these drawings for the drawings originally filed in this case.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

By:

John V. Hanley
Registration No. 38,171

JVH:LAK:bg
Enclosures
221850.2

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